

# CITY OF HAYWARD

## AGENDA REPORT

AGENDA DATE 10/08/02

AGENDA ITEM 3

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Authorization for Execution of an Agreement for Granting an Ingress-Egress Easement at the Highland 500 Reservoir to the Adjacent Property Owner

### RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution authorizing the City Manager to execute an agreement with the Huff Family for granting an Ingress-Egress Easement.

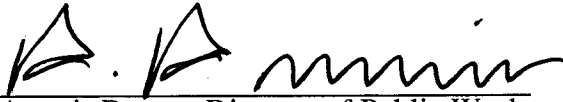
### BACKGROUND:

The Seismic Retrofit of Highland 500 Reservoir, located at Highland Boulevard and Campus Drive has recently been completed. The construction involved wrapping the exterior of the reservoir with steel cable and covering the cable with shotcrete. The existing tank, partially buried and situated on a small site, has little room between the tank and the property line. Excavation of surrounding soil was required to expose the buried portion of the tank for wrapping.

Prior to beginning construction, the City negotiated with a neighboring property owner, the Huff Family, to obtain a construction easement for placement of the shoring materials and for temporary storage of the excavated soil. During those negotiations, the subject of a permanent access easement was raised. The Huff family has used a portion of the the 500 Reservoir site for access to the rear of their property for over 30 years. As part of the consideration for use of their property, they requested that they be granted a permanent easement. Staff is agreeable to the request.

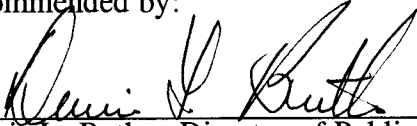
The attached Exhibit A shows the proposed easement location. The City has no plans to use this portion of land to construct any facilities over, along, under, or through it. Staff is requesting that Council grant an ingress-egress easement to the Huff Family for access purposes.

Prepared by:



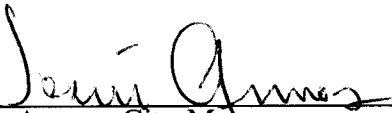
Alex Ameri, Deputy Director of Public Works

Recommended by:



Dennis L. Butler, Director of Public Works

Approved by:

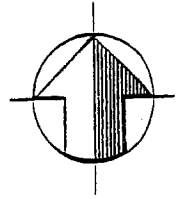


Jesús Armas, City Manager

Attachments: Exhibit A - Area of Right of Entry and Ingress-Egress Easement



## EXHIBIT "A"



MODOC AVENUE

P.O.B.

N46°37'53"E  
31.42'

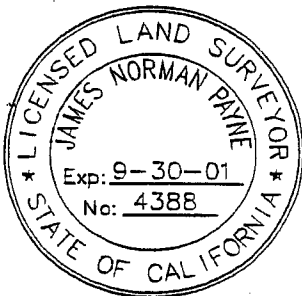
S42°37'27"E  
83.36'

N63°22'09"W  
88.71'

CITY OF HAYWARD  
HIGHLAND 500  
APN: 445-100-(52)

AREA = 1309 SQ FT +/-

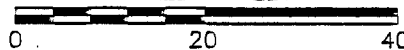
LANDS OF HUFF  
APN: 445-100-(51)



*Norman Payne*

NORMAN PAYNE  
L.S. 4388  
LICENSE EXPIRES 9/30/01

SCALE IN FEET



CITY OF HAYWARD  
ENGINEERING DIVISION

INGRESS-EGRESS EASEMENT  
HIGHLAND 500 RESERVIOR

DWG. NO.

02021

DRAWN BY: KLN DATE: 8/20/02

CHECKED BY: JNP SCALE: 1" = 20'

APPD. BY: CITY SURVEYOR: *NP* DATE: 9/3/02

APN: 445-100-(52) PORTION

SHT. 1 of 1

PORTION OF APN: 445-100-52  
HIGHLAND 500 RESERVIOR

REAL property in the City of Hayward, County of Alameda, State of California, described as follows:

A PORTION of that real property described in the Grant Deed to the CITY of HAYWARD, recorded July 10, 1947, in Book 5156, Page 245, in the office of the County Recorder of Alameda County, more particularly described as follows:

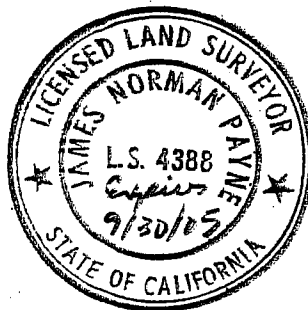
BEGINNING at the most westerly corner of the above mentioned parcel (Bk. 5156, Pg. 245), thence along the northwesterly line of said parcel (Bk. 5156, Pg. 245) North  $46^{\circ}37'53''$  East, 31.42 feet; thence South  $42^{\circ}37'27''$  East, 83.36 feet to the southwesterly line of said parcel (Bk. 5156, Pg. 245); thence along last said line North  $63^{\circ}22'09''$  West, 88.71 feet to the POINT OF BEGINNING

Containing 1309 square feet more or less, as shown on the attached plat marked 'Exhibit "A"' and made a part hereof.

August 20, 2002

*Norman Payne*

NORMAN PAYNE  
L.S. No. 4388  
License Expires 9/30/05



**DRAFT**

*JK*  
*9/24/02*

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE EXECUTION OF  
AN AGREEMENT FOR GRANTING AN INGRESS-  
EGRESS EASEMENT AT THE HIGHLAND 500  
RESERVOIR

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to execute for and on behalf of the City of Hayward an Agreement with the Huff Family for granting an Ingress-Egress Easement at the Highland 500 Reservoir, in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2002

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward